

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
WAYCROSS DIVISION**

MEDCHOICE RISK RETENTION GROUP,
INC.,

Plaintiff,

v.

MAHENDRA AMIN, M.D.,

Defendant.

CIVIL ACTION NO.: 5:21-cv-54

ORDER

This matter is before the Court on the parties' Joint Status Report and the telephonic Status Conference held on May 3, 2022. Doc. 22. This case concerns Plaintiff's duty to defend or indemnify Defendant in a currently pending class action out of the Middle District of Georgia. See Doc. 1 at 1. Discovery in the class action has been stayed due to ongoing government investigations and potential criminal proceedings arising from those investigations. Order, Oldaker, et al., v. Giles, et al., No. 7:20-cv-224 (M.D. Ga. Feb. 1, 2022), ECF No. 187, p. 3.

The parties indicate they have completed all discovery necessary in this case. Doc. 22 at 1. However, the parties believe settlement efforts would be fruitless at this point because defense costs and potential indemnity costs are currently unknown and may not arise at all. Id. at 2. For this reason, the parties request a stay. At the status conference, the parties clarified the stay would not need to last throughout the entirety of both the government investigations and the class action. Instead, the parties ask for pretrial deadlines in this action to be stayed until it can be determined if the class action will proceed at all.

“[T]he power to stay proceedings is incidental to the power inherent in every court to

control the disposition . . . of its docket with economy of time and effort for itself, for counsel, and for litigants.” Landis v. N. Am. Co., 299 U.S. 248, 254 (1936). Given the representations of the parties, I **GRANT** the Motion and **STAY** all pretrial and discovery deadlines in this case. I further **DIRECT** the parties to submit periodic, joint updates every 90 days while this stay is pending. In those updates, the parties should provide the Court with an update to the pending, underlying matters and include if one or both parties are seeking an extension of a stay. The first joint update is due **on or before August 1, 2022**.

SO ORDERED, this 10th day of May, 2022.

A handwritten signature in blue ink, appearing to read 'B. Cheesbro', is written above a horizontal line.

BENJAMIN W. CHEESBRO
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA